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**CC:** 'Leland Chang'; 'Spurgeon, Lawrence'; 'Hogan, Steven'; Miyamoto, Faith; 'Foell, Stephanie'; 'Judy Aranda'; Tam, Ryan; Patterson, Kaleo; 'N Dahl'  
**Sent:** 10/21/2009 9:13:36 AM  
**Subject:** RE: Programmatic Agreement and Consulting Parties

Aloha no kakou,

Hui Malama I Na Kupuna O Hawai'i Nei provides the following additional comments. In sum, we adopt and wholeheartedly support recommendations contained in the letter from the O'ahu Island Burial Council (OIBC) to Leslie Rogers of the Federal Transportation Authority dated October 18, 2009, specifically, we:

- 1) oppose deferral of the archaeological inventory survey (AIS) and instead support the findings of an AIS be incorporated in the Final Environmental Impact Statement (FEIS) and that this requirement be stipulated in the Programmatic Agreement (PA);
- 2) should the findings of the AIS require a section 4(f) evaluation, and should those findings compel the City and FTA to conduct a related Alternatives Analysis (AA), we support the AA being made a requirement of the FEIS and that such studies be properly completed before a record of decision is issued; and
- 3) support the suggested amendments to the PA as stated by the OIBC on pages 8-9. We again reiterate that this is a dangerous path that the City is taking and one that will result in cultural and financial hardships. What we simply do not understand is the insistence by the City to do so given the information provided. In our opinion, there can be no "inadvertent" discoveries of human skeletal remains in Kaka'ako as part of this project.

If there are any questions, please feel free to contact me at 646-9015 or this email address.

Ola na iwi,  
Edward Halealoha Ayau  
Executive Director  
Hui Malama I Na Kupuna O Hawai'i Nei

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**From:** Kehau Abad [mailto:keabad@ksbe.edu]  
**Sent:** Wednesday, October 21, 2009 6:19 AM  
**To:** Assum-Dahleen, Laura; jeff@jn-architects.com; amy@aiahonolulu.org; aspencer@hawaii.edu; kiersten@historichawaii.org; katie@historichawaii.org; chazinhawaii@aol.com; sherry\_campagna@hotmail.com; frank\_hays@nps.gov; elaine\_jackson-retondo@nps.gov; Melia\_Lane-Kamahele@nps.gov; taahine.hina@gmail.com; kawikam@hawaii.rr.com; Pua.Aiu@hawaii.gov; Nancy.A.McMahon@hawaii.gov; susan.y.tasaki@hawaii.gov; bsemmer@achp.gov; theodore.matley@fta.dot.gov; James.Barr@dot.gov; 'Kaleikini, Paulette'; David Kimo Frankel; Camille Kalama; Moses K Haia; Alan Murakami; carl.bausch@fta.dot.gov; Raymond.Sukys@dot.gov; deepak@hcdaweb.org; keolal@oha.org; malamapono@aol.com; lani@aukahi.com; brian\_turner@nths.org; elizabeth\_merritt@nths.org; john.muraoka@navy.mil; pamela.takara@navy.mil; tware@honolulu.gov; Sokugawa, Kathy K.; mmcdermott@culturalsurveys.com; hhammatt@culturalsurveys.com; arakimataemon@aol.com; halealoha@wave.hicv.net  
**Cc:** Leland Chang; Spurgeon, Lawrence; Hogan, Steven; Miyamoto, Faith; Foell, Stephanie; Judy Aranda;

rtam1@honolulu.gov; kpatterson@honolulu.gov; N Dahl  
**Subject:** RE: Programmatic Agreement and Consulting Parties

Aloha no kakou,

Attached is an electronic unsigned version of a signed hardcopy letter from the OIBC that we will be sending to Leslie Rogers of the FTA shortly.

We humbly ask that each of you consider the comments that we have presented.

Me ke aloha,  
Kehau